

**Introduced by Committee on Local Government (Senators Wiggins
(Chair), Aanestad, Cox, Kehoe, and Wolk)**

January 29, 2009

An act to amend Sections 7902.7, 23232, 25210.2, 29000, 29001, 29002, 29005, 29006, 29007, 29008, 29009, 29040, 29042, 29043, 29044, 29045, 29060, 29061, 29062, 29063, 29064, 29065, 29081, 29082, 29083, 29084, 29085, 29086, 29088, 29089, 29090, 29092, 29093, 29100, 29100.6, 29109, 29120, 29121, 29122, 29124, 29125, 29126.1, 29126.2, 29127, 29128, 29130, 29141, 29142, 30200, 36516, 61002, 66412, 66434, 66439, 66445, and 66447 of, to amend the headings of Article 2 (commencing with Section 29040) of Chapter 1 of Division 3 of Title 3, Article 3 (commencing with Section 29060) of Chapter 1 of Division 3 of Title 3, and Article 4 (commencing with Section 29080) of Chapter 1 of Division 3 of Title 3 of, to repeal Sections 29004, 29065.5, 29066, 29088.1, 29091, 29129, and 29140 of, to repeal Article 4 (commencing with Section 25420) of Chapter 5 of Part 2 of Division 2 of Title 3, Article 10 (commencing with Section 29520) of Chapter 2 of Division 3 of Title 3, Article 13 (commencing with Section 29560) of Chapter 2 of Division 3 of Title 3, and Chapter 6 (commencing with Section 60000) of Division 1 of Title 5 of, and to repeal and add Sections 29003 and 29080 of, the Government Code, to amend Section 101350 of the Health and Safety Code, to amend Sections 1121 and 1262 of the Military and Veterans Code, to amend Section 20142 of, and to add Sections 20614 and 20998 to, the Public Contract Code, to amend Section 13041 of the Public Resources Code, to amend Sections 1550, 1550.1, 1552, and 5100 of, to repeal Sections 1551, 1553, and 1554 of, and to repeal and add Section 1550.2 of, the Streets and Highways Code, and to amend Section 40355 of the Water Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 113, as introduced, Committee on Local Government. Local Government Omnibus Act of 2009.

(1) Existing law authorizes the board of supervisors of a county to acquire and convey property to the United States for use for any military purpose authorized by any law of the United States, as specified.

This bill would repeal these provisions.

(2) Existing law specifies the procedures a county must follow when adopting an annual budget.

This bill would implement the County Budget Act, which would clarify the definition of the terms administrative officer, auditor, board, and controller, and would define the terms adopted budget, budget year, final budget, and recommended budget, and would make conforming changes throughout. The bill would also repeal obsolete provisions and make other conforming changes.

(3) Existing law requires the board of supervisors of each county to establish a property tax reduction fund to receive all new revenues from sources other than property tax to reduce the property tax rate, as specified.

This bill would repeal these provisions.

(4) Existing law authorizes Sonoma County to adopt a retail transaction and use tax ordinance applicable in the incorporated and unincorporated territory of a county, as specified.

This bill would repeal this authorization.

(5) Existing law requires the Controller to proscribe, and publish uniform accounting procedures for counties that conform to generally accepted accounting principals, as specified.

This bill would instead require the Controller to proscribe and publish uniform accounting procedures for counties that conform to the Generally Accepted Accounting Principles.

(6) Existing law specifies the procedures for setting the compensation of city council members and establishes a compensation schedule based on city population.

This bill would raise the maximum compensation of city council members established in the compensation schedule and authorize city councils to raise the salary of council members under specified circumstances.

(7) Existing law authorizes a city to form any portion of the city into a special municipal tax district for the purpose of levying upon the

taxable property in the district a special tax not to exceed \$1 a year on each \$100 of assessed valuation, as specified.

This bill would repeal this authorization.

(8) The Subdivision Map Act establishes standards and procedures for subdivision of land in the state by prohibiting the selling, leasing, or financing of any parcel of real property without compliance with the map review, approval, and recordation requirements of the act.

The act exempts from its provisions, among other things, a lot line adjustment between 4 or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, if the lot line adjustment is approved by the local agency or advisory agency.

This bill would require a local agency or advisory agency to act to approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act.

(9) The Subdivision Map Act requires that final maps and parcel maps be prepared by or under the direction of a registered civil engineer or licensed land surveyor and conform to all specified provisions, including that the exterior boundary of the land included within the subdivision be indicated by distinctive symbols and clearly so designated.

This bill would require that the exterior boundary of the land included within the subdivision not include a parcel that has been designated as a remainder of the subdivision or has been omitted from the subdivision and would require the designated remainder or omitted parcel to be labeled as a designated remainder parcel or omitted parcel.

(10) The Subdivision Map Act requires that dedications of, or offers to dedicate interests in, real property for specified public purposes be made by a statement on the final map, signed and acknowledged by those parties having any record title interest in the real property being subdivided.

This bill would require, if a subdivider is required under the act or any other provision of law to make a dedication for specified public purposes on a final map, that the local agency specify whether the dedication is to be in fee for public purposes or an easement for public purposes. The bill would require the subdivider to include certain language in the dedication clause on the final map or any separate instrument.

(11) Existing law authorizes a county board of supervisors to levy a special sanitary tax to prevent the introduction of, and to eradicate, dangerous, infectious, or communicable diseases, and for general sanitation purposes, as specified.

This bill would revise these provisions to conform with Article XIII A of the Constitution.

(12) Existing law authorizes a county board of supervisors to levy a special tax to provide and maintain a home for veteran soldiers, sailors, and marines who have served the United States honorably in any of its wars, as specified.

This bill would revise these provisions to conform with Article XIII A of the Constitution.

(13) Existing law authorizes a county board of supervisors to levy a special tax to provide, maintain, or provide and maintain buildings, memorial halls, meeting places, memorial parks, or recreation centers for the use or benefit of one or more veterans' associations, as specified.

This bill would revise these provisions to conform with Article XIII A of the Constitution.

(14) The Local Agency Public Contract Act authorizes a county board of supervisors, by ordinance, resolution, or board order, to authorize the county engineer, or other county officer, to order changes or additions in the work being performed under construction contracts. The extra cost for any change or addition to the work so ordered shall not exceed \$5,000 when the total amount of the original contract does not exceed \$50,000, 10% of the amount of any original contract that exceeds \$50,000, but does not exceed \$250,000, or \$25,000, plus 5 percent of the amount of the original contract cost in excess \$250,000 for contracts whose original cost exceeds \$250,000. Existing law limits the cost of any change or alteration to no more than \$150,000.

This bill would raise the limit on the cost of any change or alteration to \$210,000 and would authorize the board of supervisors to adjust that limit to reflect changes in the applicable regional consumer price index published by the Bureau of Labor Statistics of the United States Department of Labor.

This bill would authorize the same change order expenditure procedures and limits for a county waterworks district established pursuant to the County Waterworks District Law, and the Los Angeles County Flood Control District.

(15) The Resort Improvement District Law authorizes a district board to provide each director compensation of not more than \$25 and

reimbursement for travel expenses actually incurred by the director not to exceed \$0.15 per mile for each meeting of the board, not to exceed two meetings in any calendar month.

This bill would instead authorize compensation of not more than \$25 for each meeting of the board, not to exceed two meetings in any calendar month, plus reimbursement for actual and necessary expenses incurred in the performance of duties pertaining to the board. The bill would also require any compensation provided to comply with the guidelines for providing compensation of legislative body members for attendance at specified meetings, and would require ethics training.

(16) Existing law authorizes a county board of supervisors to form special road maintenance districts, and to estimate annually, the amount of property tax for highway purposes in each road district, and fix the amount of, and levy, the property tax in each special road district for highway purposes, not to exceed \$0.40 on every \$100 of assessable property in the district in any year.

This bill would revise these provisions to conform with Articles XIII A and XIII C of the Constitution.

(17) Under existing law, all streets, places, public ways, property, rights-of-way, tidelands, submerged lands owned by any city, open or dedicated to public use, any property for which an order for possession prior to judgment has been obtained, all tidelands or submerged lands to which the right, title, and interest of the state have been granted to any city, and all tidelands or submerged lands which have been leased by the state to any city for the construction of improvements are open public streets, places, public ways, or property or rights-of-way owned by the city, for the purposes of the Improvement Act of 1911.

This bill would include among those open public streets, places, public ways, or property or rights-of-way owned by the city, all tidelands or submerged lands for which a permit, license, or easement has been issued by the United States Army Corps of Engineers, as specified.

(18) The California Water Storage District Law authorizes directors to receive compensation of \$100 per day, not to exceed 6 days a month, \$0.10 per mile for each mile traveled from the board member's place of residence to the office of the board, and actual and necessary expenses while engaged in official business under the order of the board.

This bill would instead authorize directors to receive compensation of not more than \$100 per day, not to exceed 6 days a month, and actual and necessary expenses while engaged in official business under the order of the board.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) This act shall be known and may be cited as
2 the Local Government Omnibus Act of 2009.
3 (b) The Legislature finds and declares that Californians want
4 their governments to be run efficiently and economically and that
5 public officials should avoid waste and duplication whenever
6 possible. The Legislature further finds and declares that it desires
7 to control its own costs by reducing the number of separate bills.
8 Therefore, it is the intent of the Legislature in enacting this act to
9 combine several minor, noncontroversial statutory changes relating
10 to the common theme, purpose, and subject of local government
11 into a single measure.
12 SEC. 2. Section 7902.7 of the Government Code is amended
13 to read:
14 ~~7902.7. (a) The appropriations limit of a city incorporated on~~
15 ~~or after January 1, 1988, but prior to January 1, 1990, shall be~~
16 ~~determined pursuant to Sections 56842.6 and 57104 and approved~~
17 ~~by the voters at the incorporation election.~~
18 ~~(b) The~~
19 7902.7. (a) The appropriations limit of a city incorporated on
20 or after January 1, 1990, shall be determined pursuant to Section
21 ~~56842.6~~ 56812.
22 (e)
23 (b) The appropriations limit of a special district formed on or
24 after January 1, 1988, shall be determined pursuant to ~~Sections~~
25 ~~56842.5 and 57104~~ Section 56811 and approved by the voters at
26 the formation election.
27 ~~(d)~~
28 (c) The appropriations limit of a county formed on or after
29 January 1, 1988, shall be determined pursuant to Section 23332
30 and approved by the voters at the formation election.
31 SEC. 3. Section 23232 of the Government Code is amended
32 to read:
33 23232. Proceedings under this article shall not be subject to
34 the provisions of ~~Chapter 6.6 (commencing with Section 54773)~~
35 ~~of Part 1 of Division 2 the Cortese-Knox-Hertzberg Local~~

1 *Government Reorganization Act of 2000, Division 3 (commencing*
2 *with Section 56000)* of Title 5, relating to local agency formation
3 commissions.

4 SEC. 4. Section 25210.2 of the Government Code is amended
5 to read:

6 25210.2. Unless the context requires otherwise, as used in this
7 chapter, the following terms shall have the following meanings:

8 (a) “Board” means the county board of supervisors acting as
9 the governing authority of a county service area.

10 (b) “Commission” or “local agency formation commission”
11 means a local agency formation commission that operates in the
12 county pursuant to the Cortese-Knox-Hertzberg Local Government
13 Reorganization Act of 2000, Division 3 (commencing with Section
14 56000) of Title 5.

15 (c) “County service area” means a county service area formed
16 pursuant to this chapter or any of its statutory predecessors.

17 (d) “Geologic hazard” means an actual or threatened landslide,
18 land subsidence, soil erosion, earthquake, or any other natural or
19 unnatural movement of land or earth.

20 (e) “Inhabited territory” means territory within which there
21 reside 12 or more registered voters. All other territory shall be
22 deemed “uninhabited.”

23 (f) “Landowner” or “owner of land” means all of the following:

24 (1) Any person shown as the owner of land on the county’s most
25 recent assessment roll, except where that person is no longer the
26 owner. Where that person is no longer the owner, the landowner
27 or owner of land is any person entitled to be shown as the owner
28 of land on the next assessment roll.

29 (2) Where land is subject to a recorded written agreement of
30 sale, any person shown in the agreement as purchaser.

31 (3) Any public agency owning land, provided that a public
32 agency which owns highways, rights-of-way, easements,
33 waterways, or canals shall not be deemed a landowner or owner
34 of land.

35 (g) “Latent power” means any service or facility authorized by
36 Article 4 (commencing with Section 25213) that the local agency
37 formation commission has determined, pursuant to subdivision
38 ~~(h)~~ (i) of Section 56425, that the county service area was not
39 authorized to provide prior to January 1, 2009.

(h) “Voter” means a voter as defined by Section 359 of the Elections Code.

(i) “Zone” means a zone formed pursuant to Article 8 (commencing with Section 25217).

SEC. 5. Article 4 (commencing with Section 25420) of Chapter 5 of Part 2 of Division 2 of Title 3 of the Government Code is repealed.

SEC. 6. Section 29000 of the Government Code is amended to read:

29000. *This chapter shall be known, and may be cited, as the County Budget Act.* Unless the context otherwise requires or provides, the general provisions set forth in this article, and the requirements concerning county budget matters prescribed by the Controller under Section 30200, govern the construction of this chapter.

SEC. 7. Section 29001 of the Government Code is amended to read:

29001. Except as otherwise defined in this section, the meaning of terms used in this chapter shall be as defined in the ~~accounting standards and procedures for counties~~ *Accounting Standards and Procedures for Counties* prescribed by the Controller pursuant to Section 30200.

As used in this chapter:

(a) “Administrative officer,” means the chief administrative officer, county administrator, county executive, county manager, or other officials employed in the several counties under various titles whose duties and responsibilities are comparable to the officials named herein.

(b) “Adopted budget” means the budget document formally approved by the board of supervisors after the required public hearings and deliberations on the recommended budget.

~~(b)~~

(c) “Auditor” means the county auditor or that officer whose responsibilities include those designated in Chapter 4 (commencing with Section 26900) of Division 2.

~~(e)~~

(d) “Board” means the board of supervisors of the county, or the same body acting as the governing board of a special district whose affairs and finances are under its supervision and control.

1 (e) “Budget year” means the fiscal year (July 1 through June
2 30) for which the budget is being prepared.

3 ~~(d)~~

4 (f) “Controller” means the State Controller.

5 (g) “Final budget” means the adopted budget adjusted by all
6 revisions throughout the fiscal year as of June 30.

7 (h) “Recommended budget” means the budget document
8 recommended to the board of supervisors by the designated county
9 official.

10 SEC. 8. Section 29002 of the Government Code is amended
11 to read:

12 29002. This chapter shall apply to counties and to ~~special~~
13 ~~districts~~ counties, dependent special districts, and other agencies
14 whose affairs and finances are under the supervision and control
15 of the board.

16 SEC. 9. Section 29003 of the Government Code is repealed.

17 29003. ~~This chapter does not apply to any moneys subject to~~
18 ~~disbursement, allocation, or apportionment by the county~~
19 ~~superintendent of schools pursuant to the Education Code or other~~
20 ~~statute, and which is not derived from appropriations made by the~~
21 ~~board.~~

22 SEC. 10. Section 29003 is added to the Government Code, to
23 read:

24 29003. Except as otherwise specifically provided by law, a
25 majority vote of the total membership of the board is required for
26 the board to take action pursuant to this chapter.

27 SEC. 11. Section 29004 of the Government Code is repealed.

28 29004. ~~This chapter does not remove or in any way affect any~~
29 ~~tax limit fixed by law.~~

30 SEC. 12. Section 29005 of the Government Code is amended
31 to read:

32 29005. (a) The Controller shall promulgate such rules,
33 regulations, and classifications as are deemed necessary and
34 commensurate with the accounting procedures for counties
35 prescribed pursuant to Section 30200 to secure standards of
36 uniformity among the various counties and to carry out the
37 provisions of this chapter. The rules, regulations and classifications
38 shall be adopted in accordance with the provisions of Section
39 30200.

40 The

(b) The Controller shall prescribe the forms required to be used in presenting the required information in the budget document after consultation with the Committee on County Accounting Procedures, which committee is provided for in Section 30201. Any county may add to the information required, or ~~show~~ *display* it in more detail, providing that the financial information and the classifications or items required to be included in the budget are clearly and completely set forth. Any change proposed by a county in the arrangement of the information required on the forms shall be subject to review and approval by the Controller.

SEC. 13. Section 29006 of the Government Code is amended to read:

29006. ~~Dependent on the stage of development of the~~ *For the adopted* budget, the various forms, as prescribed by the Controller pursuant to Section 29005, shall provide for the presentation of data and information to include, ~~as at~~ a minimum, estimated or actual amounts of the following items *by fund*:

(a) Fund balances.

(1) ~~Reserved or designated.~~

(2) ~~Unreserved and undesignated.~~

(A) *Designated.*

(B) *Undesignated.*

(b) ~~External-Additional~~ financing sources, ~~including property taxes, which shall be classified to set forth the data by source in accordance with the accounting procedures for counties as prescribed by the Controller pursuant to Section 30200.~~

For comparative purposes the amounts of ~~external~~ financing sources shall be shown as follows:

(1) On an actual basis for the ~~second fiscal year preceding that to which the budget is to apply~~ *fiscal year two years prior to the budget year.*

(2) On an actual basis, except for those sources that can only be estimated, for the ~~first fiscal year preceding that to which the budget is to apply~~ *fiscal year prior to the budget year.*

(3) On an estimated basis for the budget year, as submitted by those officials or persons responsible ~~therefor~~, or as recommended by the ~~auditor or~~ administrative officer *or auditor*, as appropriate.

(4) On an estimated basis for the budget year, as approved, or as adopted, by the board.

(c) Financing uses for each budget unit, ~~which shall be classified to set forth the data~~ by the fund or funds from which financed, by the objects of expenditure, other financing uses, intrafund transfers, and ~~residual equity~~ transfers-out in accordance with the accounting procedures for counties and by such further classifications or requirements pertaining to county budget matters as prescribed by the Controller pursuant to Section 30200.

For comparative purposes the amounts of financing uses shall be shown as follows:

(1) On an actual basis for the ~~second fiscal year preceding that to which the budget is to apply~~ *fiscal year two years prior to the budget year*.

(2) On an actual basis, except for those uses that can only be estimated, for the ~~first fiscal year preceding that to which the budget is to apply~~ *fiscal year prior to the budget year*.

(3) On an estimated basis for the budget year, as submitted by those officials or persons responsible ~~therefor~~, or as recommended by the administrative officer *or other officer* designated by the board.

(4) On an estimated basis for the budget year, as approved, or as adopted, by the board.

~~(d) The amounts proposed to be provided as appropriations~~ *Appropriations* for contingencies.

~~(e) The amounts proposed to be provided as provisions~~ *Provisions* for reserves and designations.

~~(f) The appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Division 9 (commencing with Section 7900) of Title 1.~~

SEC. 14. Section 29007 of the Government Code is amended to read:

29007. There shall be a schedule in or supporting the *adopted* budget document or separate ordinance or resolution, setting forth for each budget unit the following data for each position classification:

(a) Salary rate or range, as applicable.

~~(b) Number of positions currently approved.~~

~~(c) Number of positions requested or recommended by the administrative officer if designated by the board.~~

~~(d)~~

~~(b) Number of Total allocated positions approved by the board.~~

SEC. 15. Section 29008 of the Government Code is amended to read:

29008. At a minimum, within the object of ~~fixed~~ *capital* assets, the ~~estimates~~ *budget amounts* for:

(a) Land shall be ~~shown in lump-sum~~ *reported in total* amounts, except when included as a component of a project.

(b) ~~Buildings-Structures~~ and improvements shall be ~~shown~~ *reported* separately ~~as to~~ *for* each project, except that minor improvement projects may be ~~given~~ *reported* in totals.

(c) Equipment shall be ~~shown in a lump-sum amount~~ *reported in total amounts* by budget unit.

(d) *Infrastructure shall be reported in total amounts by budget unit.*

SEC. 16. Section 29009 of the Government Code is amended to read:

29009. In the ~~proposed~~ *recommended, adopted,* and final budgets the ~~budgetary requirements~~ *funding sources* shall equal the ~~available~~ *financing uses*.

SEC. 17. The heading of Article 2 (commencing with Section 29040) of Chapter 1 of Division 3 of Title 3 of the Government Code is amended to read:

Article 2. ~~Filing of Estimates~~ *Budget Request*

SEC. 18. Section 29040 of the Government Code is amended to read:

29040. On or before June ~~10th~~ *10* of each year, ~~as the board directs,~~ each official ~~or person~~ in charge of any budget unit shall ~~file with~~ *provide the administrative officer or the auditor, as the board directs,* an itemized *request detailing the* estimate of ~~available~~ *financing sources,* ~~financing requirements~~ *uses,* and any other matter required by the board. ~~If the board directs, the estimates shall also be filed with the administrative officer.~~

SEC. 19. Section 29042 of the Government Code is amended to read:

29042. The ~~estimates requests~~ shall be submitted ~~on worksheet forms~~ *as prescribed by the auditor, or the administrative officer if or the auditor, as designated by the board.* ~~The officer prescribing the worksheet forms shall supply such forms.~~

1 SEC. 20. Section 29043 of the Government Code is amended
2 to read:

3 29043. The auditor shall provide the estimates for bonded debt
4 service requirements. ~~He~~ *The auditor* shall also provide or furnish
5 to the responsible authority, as applicable, the estimates for bonded
6 debt service requirements of:

7 (a) School districts.

8 (b) Any special district, the records for which are maintained
9 in ~~his~~ *the auditor's* office as required by law.

10 ~~In addition to providing the estimates for debt service~~
11 ~~requirements, the auditor shall, if required pursuant to the policies~~
12 ~~of the board, also include a percentage of up to one-fourth of 1~~
13 ~~percent of the amount to be raised by taxation for such debt service~~
14 ~~requirements applicable to any bond or bonds of any special district~~
15 ~~or zone or improvement district thereof, but excluding a school~~
16 ~~district.~~

17 SEC. 21. Section 29044 of the Government Code is amended
18 to read:

19 29044. The auditor shall ~~furnish~~ *provide* to the administrative
20 officer or such other official as the board directs, any financial
21 statements or data, ~~the preparation of which properly falls within~~
22 ~~the duties of his or her office, together with his or her or~~
23 ~~recommendations, if any, for any changes to the estimated~~
24 ~~financing sources referenced in Section 29040.~~

25 SEC. 22. Section 29045 of the Government Code is amended
26 to read:

27 29045. In the absence or disability, or failure of any official
28 or person required to submit ~~estimates pursuant to this article,~~
29 ~~budget requests,~~ they shall be submitted by the *acting* official ~~or~~
30 ~~person~~ in charge of the budget unit ~~during the absence or disability~~
31 ~~of the principal,~~ or shall be prepared by the *administrative officer*
32 ~~or the auditor or the administrative officer~~ as designated by the
33 board.

34 SEC. 23. The heading of Article 3 (commencing with Section
35 29060) of Chapter 1 of Division 3 of Title 3 of the Government
36 Code is amended to read:

37
38 Article 3. ~~Proposed-Recommended~~ Budget
39

1 SEC. 24. Section 29060 of the Government Code is amended
2 to read:

3 29060. ~~From the estimates the auditor, or the~~ *The administrative*
4 ~~officer if or auditor as designated by the board, shall prepare a~~
5 ~~tabulation on forms prescribed by the State Controller in the~~
6 ~~manner as prescribed by the provisions of this chapter~~ *compile the*
7 *budget requests.*

8 SEC. 25. Section 29061 of the Government Code is amended
9 to read:

10 29061. The board ~~may shall~~ *shall* designate *either* the administrative
11 ~~officer or auditor~~ to review, ~~hold hearings on, and recommend~~
12 ~~changes in the estimates before the tabulation is submitted to the~~
13 ~~board the budget requests and prepare a recommended budget.~~
14 Any differences between the recommendations and the estimates
15 as submitted with which the official or person who submitted the
16 estimates does not concur, shall be clearly indicated *may be*
17 *described* in the written recommendations or comments, or both.

18 SEC. 26. Section 29062 of the Government Code is amended
19 to read:

20 29062. The ~~tabulation~~ *recommended budget* shall be submitted
21 to the board by the *administrative officer or auditor*, ~~or by the~~
22 ~~administrative officer if as designated by the board, on or before~~
23 ~~June 30th~~ *30* of each year, as the board directs.

24 SEC. 27. Section 29063 of the Government Code is amended
25 to read:

26 29063. Upon receipt of the ~~tabulation~~ *recommended budget*,
27 the board shall consider it and, on or before ~~July 20th~~ *June 30* of
28 each year, at such time as it directs, shall make any revisions,
29 reductions, or additions ~~therein that it deems advisable.~~ Any official
30 or person whose ~~estimates~~ *budget requests* have been ~~so~~ revised;
31 ~~reduced or increased by the board~~ shall be given the opportunity
32 to be heard thereon before the board during or prior to the hearings
33 required by Section 29080 ~~of this chapter.~~

34 SEC. 28. Section 29064 of the Government Code is amended
35 to read:

36 29064. ~~(a) On or before July 20th~~ *June 30* of each year the
37 board, by formal action, shall approve ~~the tabulation with the~~
38 *recommended budget, including the revisions, additions and*
39 ~~changes in conformity with its judgment and conclusions as to a~~
40 ~~proper financial program for the budget period, whereupon it shall~~

1 constitute the proposed budget for the period to which it is to apply
2 *it deems necessary for the purpose of having authority to spend*
3 *until the budget is adopted.*

4 (b) ~~The board may make additions and changes to the proposed~~
5 ~~budget as it desires up to the time of adoption of the final budget,~~
6 ~~provided that any increase or inclusion of additional items shall~~
7 ~~not be made after the public hearing on the final budget unless~~
8 ~~proposed in writing and filed with the clerk of the board before~~
9 ~~the close of the public hearing or unless approved by the board by~~
10 ~~four-fifths vote.~~

11 SEC. 29. Section 29065 of the Government Code is amended
12 to read:

13 29065. On or before ~~August 10th~~ *September 8* of each year, as
14 the board directs, ~~the proposed budget document, and the required~~
15 ~~statements if separate, shall be reproduced so that each member~~
16 ~~of the general public who desires may obtain one. Copies of any~~
17 ~~changes made to the proposed budget pursuant to subdivision (b)~~
18 ~~of Section 29064 shall be made available to the public 72 hours~~
19 ~~prior to the budget hearings~~ *the recommended budget shall be*
20 *made available to the public.*

21 SEC. 30. Section 29065.5 of the Government Code is repealed.

22 29065.5. ~~At a date on or before August 10th an official~~
23 ~~designated by the board shall file with the clerk of the board a~~
24 ~~tabulation prepared in accordance with the board's direction.~~

25 ~~When so filed, this tabulation shall constitute the proposed~~
26 ~~budget and shall be reproduced by the designated official so that~~
27 ~~each member of the general public may obtain one.~~

28 ~~When this section is implemented, it shall be the responsibility~~
29 ~~of the official designated by the board to format the tabulation to~~
30 ~~the requirements of Sections 29005, 29006, 29007, and 29008, to~~
31 ~~concur with its use.~~

32 ~~The alternative procedure prescribed by this section shall apply~~
33 ~~to a county only if the board adopts the procedure by resolution.~~

34 SEC. 31. Section 29066 of the Government Code is repealed.

35 29066. ~~On or before August 10 of each year, the board shall~~
36 ~~publish a notice once in a newspaper of general circulation~~
37 ~~throughout the county, stating that:~~

38 (a) ~~The proposed budget documents are available to members~~
39 ~~of the general public.~~

1 ~~(b) On a date stated in the notice, not less than 10 days after the~~
2 ~~budget documents are available, and at a time and place also stated~~
3 ~~in the notice, the board will meet for the purpose of conducting a~~
4 ~~public hearing on the proposed budget preparatory to making a~~
5 ~~final determination thereon, and,~~

6 ~~(c) Any member of the general public may appear at the hearing~~
7 ~~and be heard regarding any item of the budget or for the inclusion~~
8 ~~of additional items.~~

9 ~~The board may, by resolution, extend on a permanent basis or~~
10 ~~for a limited period the date required by this section from August~~
11 ~~10 to September 8.~~

12 SEC. 32. The heading of Article 4 (commencing with Section
13 29080) of Chapter 1 of Division 3 of Title 3 of the Government
14 Code is amended to read:

15
16 Article 4. *Final Adopted Budget*
17

18 SEC. 33. Section 29080 of the Government Code is repealed.

19 ~~29080. On or before August 20 of each year, as the board~~
20 ~~directs, it shall meet at the time and place designated in the~~
21 ~~published notice, at which meeting any member of the general~~
22 ~~public may appear and be heard regarding any item in the proposed~~
23 ~~budget or for the inclusion of additional items. Any official whose~~
24 ~~estimates have been or are proposed to be revised, reduced, or~~
25 ~~increased, or who desires to change his or her estimates, shall be~~
26 ~~given the opportunity to be heard thereon. All proposals for the~~
27 ~~increase or the inclusion of additional items shall be submitted in~~
28 ~~writing to the clerk of the board before the close of the public~~
29 ~~hearing.~~

30 ~~The board may, by resolution, extend on a permanent basis or~~
31 ~~for a limited period the date required by this section from August~~
32 ~~20 to September 18.~~

33 SEC. 34. Section 29080 is added to the Government Code, to
34 read:

35 29080. On or before September 8 of each year, the board shall
36 publish a notice in a newspaper of general circulation throughout
37 the county stating that:

38 (a) The recommended budget documents are available to
39 members of the public.

1 (b) On the date stated in the notice, not fewer than 10 days after
2 the recommended budget documents are available, and at a time
3 and place also stated in the notice, the board will conduct a public
4 hearing on the recommended budget.

5 (c) Any member of the public may appear at the hearing and be
6 heard regarding any item in the recommended budget or for the
7 inclusion of additional items.

8 (d) All proposals for revisions shall be submitted in writing to
9 the clerk of the board of supervisors before the close of the public
10 hearing.

11 SEC. 35. Section 29081 of the Government Code is amended
12 to read:

13 29081. The hearing may be continued from day to day until
14 concluded, but not to exceed a total of ~~10~~ 14 calendar days, ~~and~~
15 ~~shall be concluded before the expiration of 10 calendar days if~~
16 ~~there are no requests or applications on file with the clerk of the~~
17 ~~board for further hearings prior to the close of the hearings.~~

18 ~~The board may, by resolution, extend on a permanent basis or~~
19 ~~for a limited period the number of days for a continuance under~~
20 ~~this section from 10 to 14.~~

21 SEC. 36. Section 29082 of the Government Code is amended
22 to read:

23 29082. (a) *At the hearing, the board of supervisors shall hear*
24 *any official who wishes to be heard regarding the recommended*
25 *budget for his or her budget unit.*

26 (b) ~~At the time the estimates for a budget unit are under~~
27 ~~consideration of the hearing, the board of supervisors may call in~~
28 ~~the official or person who submitted such estimates for examination~~
29 ~~in charge of any budget unit concerning any matter relating to the~~
30 ~~his or her budget unit. The board of supervisors may also call in~~
31 ~~the official or person or official may also be called by the board~~
32 ~~in charge of a budget unit if any member of the general public~~
33 ~~files with the clerk of the board a written request to question any~~
34 ~~of the estimates made by that official or person matter relating to~~
35 ~~that budget unit.~~

36 SEC. 37. Section 29083 of the Government Code is amended
37 to read:

38 29083. (a) The auditor, or a deputy designated by ~~him~~ *the*
39 *auditor*, shall attend the public hearing on the ~~proposed~~

1 *recommended* budget, and shall furnish the board with any financial
2 statements and data it requires.

3 ~~It~~

4 (b) *It* shall be the responsibility of the *administrative officer or*
5 auditor to revise the ~~proposed~~ *recommended* budget to reflect the
6 actions of the board pertaining thereto in developing the ~~final~~
7 *adopted* budget document.

8 SEC. 38. Section 29084 of the Government Code is amended
9 to read:

10 29084. The budget may contain an appropriation or
11 appropriations for contingencies ~~which the board may establish~~
12 ~~by either or a combination of the following methods: in such~~
13 *amounts as the board deems sufficient.*

14 ~~(a) Setting aside an amount within a fund not to exceed 15~~
15 ~~percent of the total appropriations from the respective fund~~
16 ~~exclusive of the amount of the appropriation for contingencies.~~

17 ~~(b) Setting aside an amount in a separate contingency fund or~~
18 ~~in the General Fund not to exceed 15 percent of the total~~
19 ~~appropriations contained in the budget, exclusive of all~~
20 ~~appropriations for bonded debt service and all appropriations for~~
21 ~~contingencies. The total appropriations on which the 15-percent~~
22 ~~limitation is based shall exclude the total appropriations on each~~
23 ~~fund for which an appropriation for contingencies is established~~
24 ~~pursuant to (a).~~

25 SEC. 39. Section 29085 of the Government Code is amended
26 to read:

27 29085. The budget *for each fund* may contain reserves,
28 including a general reserve, and designations in such amounts as
29 the board deems sufficient.

30 SEC. 40. Section 29086 of the Government Code is amended
31 to read:

32 29086. Except in cases of a legally declared emergency, as
33 defined in Section 29127, the general reserve may only be
34 established, canceled, increased or decreased at the time of adopting
35 the budget as provided in Section 29088. *The general reserve may*
36 *be increased any time during the fiscal year by a four-fifths vote*
37 *of the board.*

38 SEC. 41. Section 29088 of the Government Code is amended
39 to read:

1 29088. ~~(a)~~ After the conclusion of the hearing, and not later
2 than ~~August 30~~ *October 2* of each year, and after making any
3 revisions of, deductions from, or increases or additions to, the
4 ~~proposed~~ *recommended* budget it deems advisable during or after
5 the public hearing, the board shall by resolution adopt the budget
6 as finally determined. Increases or additions shall not be made
7 after the public hearing, unless the items were proposed in writing
8 and filed with the clerk of the board before the close of the public
9 hearing or unless approved by the board by four-fifths vote. ~~The~~
10 ~~changes made pursuant to subdivision (b) of Section 29064 may~~
11 ~~be recorded as changes to the final budget.~~

12 ~~(b) Whenever the state budget is enacted after July 1, the board~~
13 ~~may, by resolution, extend the date specified by subdivision (a)~~
14 ~~for a period not to exceed 60 days from the date of the enactment~~
15 ~~of the state budget or October 2, whichever is later, or 15 days~~
16 ~~beyond the date specified in Section 29080.~~

17 ~~(c) The board may, by resolution, extend on a permanent basis~~
18 ~~or for a limited period the date specified by this section from~~
19 ~~August 30 to October 2.~~

20 SEC. 42. Section 29088.1 of the Government Code is repealed.

21 ~~29088.1. Notwithstanding any other provision of law, for the~~
22 ~~1992-93 fiscal year a county may adopt a final budget no later~~
23 ~~than November 2, 1992. All procedural deadlines specified in~~
24 ~~Sections 29066 to 29109, inclusive, shall be adjusted accordingly.~~

25 SEC. 43. Section 29089 of the Government Code is amended
26 to read:

27 29089. The resolution of adoption of the budget of the county
28 ~~and of, each special dependent district, and each other agency as~~
29 ~~defined in Section 29002, shall specify:~~

30 (a) Appropriations by objects of expenditure within each budget
31 unit, *except for capital assets which are appropriated at the*
32 *subobject level pursuant to Section 29008.*

33 (b) Other financing uses by budget unit.

34 (c) Intrafund transfers by budget unit.

35 (d) ~~Residual equity transfers-out~~ *Transfers-out* by fund.

36 (e) Appropriations for contingencies, by fund.

37 (f) Provisions for reserves and designations, by fund and
38 purpose.

39 (g) The means of financing the budget requirements.

1 ~~(h) The appropriations limit and the total annual appropriations~~
2 ~~subject to limitation as determined pursuant to Division 9~~
3 ~~(commencing with Section 7900) of Title 1.~~

4 SEC. 44. Section 29090 of the Government Code is amended
5 to read:

6 29090. The adoption of the budget may be accomplished by a
7 resolution in which the adoption is effectuated by reference to the
8 ~~financing requirements~~ *uses* in the budget as finally determined,
9 provided that the minimum requirements set forth in Section 29089
10 are met in the budget document. If adopted by reference, the budget
11 shall have the same effect and be subject to the same provisions
12 of law as if the resolution of adoption had been accomplished by
13 specific designation.

14 SEC. 45. Section 29091 of the Government Code is repealed.

15 ~~29091. The several amounts of proposed financing uses~~
16 ~~specified in the resolution as finally adopted are thereby~~
17 ~~appropriated at the object level except for fixed assets, which are~~
18 ~~appropriated at the subobject level as referenced in Section 29008~~
19 ~~for the various budget units of the county and for the special~~
20 ~~districts for the period to which the budget is intended to apply.~~

21 SEC. 46. Section 29092 of the Government Code is amended
22 to read:

23 29092. The board may set forth appropriations in greater detail
24 than required in Section 29089 ~~or 29091~~ and may authorize any
25 additional controls for the administration of the budget as it deems
26 ~~necessary; the necessary.~~ *The* board may designate a county official
27 to exercise these administrative controls.

28 SEC. 47. Section 29093 of the Government Code is amended
29 to read:

30 29093. (a) A copy of the ~~completed adopted~~ *adopted* budget as finally
31 ~~determined and adopted in the format prescribed by the Controller~~
32 shall be filed by the auditor in the office of the clerk of the board
33 and the office of the Controller not later than ~~November~~ *December*
34 1 of each year.

35 (b) (1) If the auditor, after receipt of written notice from the
36 Controller, fails to transmit a copy of the *adopted* budget within
37 20 days, ~~he or she~~ *the county* shall forfeit to the state one thousand
38 dollars (\$1,000) to be recovered in an action brought by the
39 Attorney General, in the name of the Controller.

(2) Upon a satisfactory showing of good cause, the Controller may waive the penalty for late filing provided in paragraph (1).

~~(e) The board may, by resolution, extend on a permanent basis or for a limited period the date specified by this section from November 1 to December 1.~~

SEC. 48. Section 29100 of the Government Code is amended to read:

29100. (a) On or before the first business day of September of each year, the board shall adopt by resolution the rates of taxes on the secured roll, not to exceed the 1-percent limitation specified in Article XIII A of the Constitution and Sections 93 and 100 of the Revenue and Taxation ~~Code~~; ~~for Code.~~ For voter-approved indebtedness, the board shall adopt the rates on the secured roll by determining the percentage of full value of property on the secured roll legally subject to support the annual debt requirement. Each rate shall be such as will produce the amount determined as necessary to be raised by taxation on the secured roll after due allowance for delinquency, anticipated changes to the roll, disputed tax revenues anticipated to be impounded pursuant to Section 26906.1, amounts subject to Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and other available financing sources. The board may adopt a rate for voter-approved indebtedness as will produce an amount determined as appropriate for necessary reserves. ~~For~~

(b) For purposes of this section, “an amount appropriate for necessary reserves” shall be limited to an amount sufficient to accommodate the county’s anticipated annual cash-flow needs for servicing the county’s voter-approved debt. The reserve may service only the debt for which the extraordinary rate is levied. All interest earned on the amount deposited in the necessary reserve shall accrue to the necessary reserve.

~~The~~

(c) The board may, by resolution, extend on a permanent basis or for a limited period the date specified by this section from the first business day of each September to each October 3.

SEC. 49. Section 29100.6 of the Government Code is amended to read:

29100.6. (a) On or before November 1 of each year each county auditor shall file with the Controller in such form as the Controller directs, a statement of the amounts of exempt values

1 granted for the homeowners' property tax exemption under
2 subdivision (k) of Section 3 and Section 25 of Article XIII of the
3 Constitution for the county, each city and school district or portion
4 thereof within the county, each special district or subdivision or
5 zone thereof or portion thereof within the county, for which a tax
6 levy is carried on the county assessment roll. The auditor shall
7 therein compute and show the total amount of ad valorem tax loss
8 to the county and the cities and districts resulting from the
9 exemption and the statement shall claim such amount against the
10 state for payment of reimbursement.

11 ~~The~~
12 (b) *The* board may, by resolution, extend on a permanent basis
13 or for a limited period the date specified by this section from
14 November 1 to December 1.

15 SEC. 50. Section 29109 of the Government Code is amended
16 to read:

17 29109. (a) On or before November 1 of each year, the auditor
18 shall forward to the Controller, ~~in such form as the format~~
19 *prescribed by the Controller directs*, a statement of the rates of
20 taxation, the assessed valuation as shown on the current equalized
21 assessment roll, the amount of taxes to be levied and allocated
22 pursuant to the Revenue and Taxation Code.

23 (b) (1) If the auditor, after receipt of written notice from the
24 Controller fails to transmit the statements within 20 days, ~~he or~~
25 *she the county* shall forfeit to the state, one thousand dollars
26 (\$1,000) to be recovered in an action brought by the Attorney
27 General, in the name of the Controller.

28 (2) Upon a satisfactory showing of good cause, the Controller
29 may waive the penalty for late filing provided in paragraph (1).

30 (c) The board may, by resolution, extend on a permanent basis
31 or for a limited period the date specified in this section from
32 November 1 to December 1.

33 SEC. 51. Section 29120 of the Government Code is amended
34 to read:

35 29120. Except as otherwise provided by law, the board and
36 every other county or *dependent* special district official and person
37 shall be limited in the incurring or paying of obligations to the
38 amounts of the appropriations allowed ~~by the~~ *for each budget unit*
39 as originally adopted or as thereafter revised by addition,
40 cancellation, or transfer.

1 SEC. 52. Section 29121 of the Government Code is amended
2 to read:

3 29121. Except as otherwise provided by law, obligations
4 incurred or paid in excess of the ~~unencumbered balance~~ of the
5 amounts authorized in the budget *unit* appropriations are not a
6 liability of the county or *dependent* special district, but *a personal*
7 *liability* of the official authorizing the obligation ~~in an amount~~
8 ~~known by him to be in excess of the unencumbered balance of the~~
9 ~~appropriation against which it is drawn is liable therefor personally~~
10 ~~and upon his official bond.~~

11 SEC. 53. Section 29122 of the Government Code is amended
12 to read:

13 29122. The board shall *not* approve ~~no~~ a claim and the auditor
14 shall *not* issue ~~no warrant~~ payment for any obligation in excess of
15 that authorized ~~therefor~~ in the budget *unit* appropriation, except
16 upon an order of a court of competent jurisdiction, for an
17 emergency, or as otherwise provided by law. ~~Provided, further,~~
18 ~~with respect to a newly created special district or county service~~
19 ~~area, whenever it is desired to commence operations prior to the~~
20 ~~time for adoption of a budget for such district or service area, the~~
21 ~~amount of any money advanced or transferred to such district or~~
22 ~~service area under authority of law may be made available to meet~~
23 ~~the financing requirements of the district or service area under the~~
24 ~~provisions of Section 29130.~~

25 SEC. 54. Section 29124 of the Government Code is amended
26 to read:

27 29124. (a) If at the beginning of any fiscal year, the
28 ~~appropriations applicable to that year have not been finally~~
29 ~~determined and adopted~~ *budget has not been adopted*, the auditor
30 shall approve payments for the support of the various budget units
31 in accordance with the following authorizations:

32 (1) Except as otherwise provided in subdivision (b), the ~~several~~
33 ~~amounts set forth in the proposed recommended budget for the~~
34 ~~objects and purposes therein specified, except obligations for fixed~~
35 ~~capital assets, residual equity transfers, and for transfer-out, and~~
36 ~~new permanent employee positions, are deemed appropriated until~~
37 ~~the adoption of the final budget.~~

38 (2) ~~Obligations for fixed assets, residual equity transfers, and~~
39 ~~for Capital assets, transfers-out, and new permanent employee~~
40 ~~positions are deemed appropriated until the adoption for of the~~

1 ~~final~~ budget if specifically approved by the board. For the purposes
2 of this subdivision, the words “new permanent employee positions”
3 do not include any employee positions created in lieu of an
4 employee position which is abolished.

5 (3) If the ~~proposed~~ *recommended* budget has not been approved
6 by the board *because of an emergency as described in subdivision*
7 *(a) of Section 29127*, the amounts deemed appropriated shall be
8 based on the *final* budget of the preceding year, excluding ~~fixed~~
9 assets and ~~residual equity transfers~~ *transfers-out* unless specifically
10 approved by the board.

11 (b) Notwithstanding any other provision of this section, prior
12 to the adoption of ~~a final~~ *the adopted* budget, the board of
13 supervisors may impose expenditure limitations that are more
14 restrictive than those contained in this section.

15 SEC. 55. Section 29125 of the Government Code is amended
16 to read:

17 29125. (a) Transfers and revisions *to the adopted*
18 *appropriations* may be made ~~with respect to the appropriations as~~
19 ~~specified in the resolution of adoption of the budget, except with~~
20 ~~respect to transfers from the appropriations for contingencies, by~~
21 an action formally adopted by the board at a regular or special
22 meeting ~~and entered in its minutes. The~~ *as follows*:

23 (1) *If between funds, by a four-fifths vote.*

24 (2) *If transfers from appropriation for contingencies, by a*
25 *four-fifths vote.*

26 (3) *If between budget units within a fund if overall*
27 *appropriations are not increased, by a majority vote.*

28 (b) The board may designate ~~a county official~~ *the administrative*
29 *officer or auditor* to approve transfers and revisions of
30 appropriations within a budget unit *if the overall appropriations*
31 *of the budget unit are not increased.*

32 SEC. 56. Section 29126.1 of the Government Code is amended
33 to read:

34 29126.1. At any regular or special meeting the board may
35 cancel any unused appropriation in whole or in part upon
36 determining that the source of funding of the appropriation will
37 be unrealized in whole or in part. ~~A corresponding~~ *An offsetting*
38 reduction shall be made to the ~~approved~~ *corresponding estimated*
39 ~~revenue estimates.~~

1 SEC. 57. Section 29126.2 of the Government Code is amended
2 to read:

3 29126.2. The auditor may review and issue reports and make
4 recommendations regarding estimated ~~available~~ financing *sources*,
5 or actual ~~available financing~~ *financing sources*, or both, and the
6 status of appropriations. The auditor shall submit to the board, and
7 any other official the board may designate, a statement showing
8 this information with respect to the condition of each separate
9 budget appropriation and to the condition of estimated ~~available~~
10 financing *sources*, as the board requires.

11 SEC. 58. Section 29127 of the Government Code is amended
12 to read:

13 29127. After adopting a resolution stating the facts constituting
14 ~~the an~~ emergency by a four-fifths vote of the board at any regular
15 or special meeting, ~~of the time and place of which all members~~
16 ~~have had reasonable notice~~, the board may appropriate and make
17 the expenditure necessary to meet an emergency in any of the
18 following cases:

19 (a) Upon the happening of an emergency caused by war, fire,
20 failure or the imminent failure of a water system or supply, flood,
21 explosion, storm, earthquake, epidemic, riot or insurrection.

22 (b) For the immediate preservation of order or of public health.

23 (c) For the restoration to a condition of usefulness of any public
24 property, the usefulness of which has been destroyed by accident.

25 (d) For the relief of a stricken community overtaken by calamity.

26 (e) For the settlement of approved claims for personal injuries
27 or property damages, exclusive of claims arising from the operation
28 of any public utilities owned by the county.

29 (f) To meet mandatory expenditures required by law.

30 SEC. 59. Section 29128 of the Government Code is amended
31 to read:

32 29128. All emergency expenditures shall be paid ~~by warrant~~
33 from any money in the county treasury in any fund from which
34 the expenditure may properly be paid.

35 SEC. 60. Section 29129 of the Government Code is repealed.

36 ~~29129. If, at any time, there is insufficient money in the treasury~~
37 ~~to pay any such warrants, they shall be registered, bear interest~~
38 ~~and be called in the same manner as other county or special district~~
39 ~~warrants.~~

1 SEC. 61. Section 29130 of the Government Code is amended
2 to read:

3 29130. At any regularly scheduled or properly noticed special
4 meeting, the board by a four-fifths vote may make available for
5 appropriation any of the following:

6 ~~(a) Balances in appropriations for contingencies, including~~
7 ~~accretions from cancellations of appropriations.~~

8 ~~(b)~~

9 (a) Designations and reserves ~~(excluding~~ *excluding* the general
10 reserve, balance sheet reserves, and reserve for ~~encumbrances~~) no
11 longer required for the purpose for which intended *encumbrances*.

12 ~~(c)~~

13 (b) Amounts which are either in excess of anticipated amounts
14 or not specifically set forth in the budget derived from any actual
15 or anticipated increases in ~~available~~ financing *sources*. ~~The auditor~~
16 ~~may review and make recommendations regarding these amounts~~
17 ~~prior to the board action.~~

18 SEC. 62. Section 29140 of the Government Code is repealed.

19 29140. ~~The budget document in which the proposed and the~~
20 ~~final budget, respectively, of the county are presented shall include~~
21 ~~a special statement showing the status of the financing uses from~~
22 ~~bond funds. The statement shall set forth the total estimated cost,~~
23 ~~and the total actual expenditures to date of each project,~~
24 ~~appropriately identified, and the fund from which financed.~~

25 SEC. 63. Section 29141 of the Government Code is amended
26 to read:

27 29141. ~~The adopted budget document in which the proposed~~
28 ~~and final budget, respectively, of the county are presented shall~~
29 ~~include; a special schedule showing the managerial budget of each~~
30 ~~service activity financed by a proprietary fund established pursuant~~
31 ~~to the provisions of Sections 25260 and 25261. The schedule shall~~
32 ~~set forth expected operations of the activity in such detail for~~
33 ~~revenues and, expenses, and reserves as will adequately display~~
34 ~~the nature and the approximate size of its operations. Comparative~~
35 ~~data as prescribed in Section 29021 shall be provided.~~

36 SEC. 64. Section 29142 of the Government Code is amended
37 to read:

38 29142. ~~Notwithstanding the provisions of any other statute or~~
39 ~~code providing to the contrary any other provision of law, when~~
40 taxes or assessments are collected by the county for any special

1 district, or zone or improvement district thereof, but excluding a
2 school district, the board of supervisors may provide for a
3 collection fee for such services which when collected shall belong
4 to the county and shall be deposited to the credit of the general
5 fund, and shall cover the expense and compensation of such
6 officials of the county in the collection of such taxes and of the
7 interest or penalties thereon, subject to the following:

8 (a) For taxes covering debt service requirements on any bond
9 or bonds authorized and issued by any such *special* district, the
10 tax rate fixed to raise such amounts may be fixed by the board of
11 supervisors to include also a percentage of such amounts up to
12 one-fourth of 1 percent thereof.

13 (b) For taxes covering all purposes of such *special* districts,
14 other than debt service requirements on bonds, the amount of the
15 collection fees, if any, to be charged by the county shall be fixed
16 by agreement between the board of supervisors and the governing
17 board of such *special* district and shall not exceed one-fourth of 1
18 percent of all money collected.

19 SEC. 65. Article 10 (commencing with Section 29520) of
20 Chapter 2 of Division 3 of Title 3 of the Government Code is
21 repealed.

22 SEC. 66. Article 13 (commencing with Section 29560) of
23 Chapter 2 of Division 3 of Title 3 of the Government Code is
24 repealed.

25 SEC. 67. Section 30200 of the Government Code is amended
26 to read:

27 30200. Under this division, the Controller shall prescribe for
28 counties uniform accounting procedures conforming to ~~generally~~
29 ~~accepted accounting principles~~ *the Generally Accepted Accounting*
30 *Principles (GAAP)*. The procedures shall be adopted under the
31 provisions of Chapter 3.5 (commencing with Section 11340) of
32 Part 1 of Division 3 of Title 2 and shall be published in the
33 California ~~Administrative Code of Regulations~~ either in their
34 entirety or by reference. The Controller shall prescribe such
35 procedures after consultation with and approval by the Committee
36 on County Accounting Procedures. Approval of such procedures
37 shall be by a majority vote of the members of the committee. The
38 vote may be conducted by mail at the discretion of the chairperson
39 of the committee, provided however, that should one or more
40 members of the committee request a meeting for the purpose of

1 voting the chairperson shall call a meeting of the committee as
2 provided in Section 30201.

3 SEC. 68. Section 36516 of the Government Code is amended
4 to read:

5 36516. (a) (1) A city council may enact an ordinance
6 providing that each member of the city council shall receive a
7 salary, ~~the amount of which shall be determined by the following~~
8 ~~schedule:~~ *based on the population of the city as set forth in*
9 *paragraph (2).*

10 (2) *The salaries approved by ordinance under paragraph (1)*
11 *shall be as follows:*

12 ~~(1)~~

13 (A) In cities up to and including 35,000 in population, up to and
14 including three hundred dollars (\$300) per month;

15 ~~(2)~~

16 (B) In cities over 35,000 up to and including 50,000 in
17 population, up to and including four hundred dollars (\$400) per
18 month;

19 ~~(3)~~

20 (C) In cities over 50,000 up to and including 75,000 in
21 population, up to and including five hundred dollars (\$500) per
22 month.

23 ~~(4)~~

24 (D) In cities over 75,000 up to and including 150,000 in
25 population, up to and including six hundred dollars (\$600) per
26 month.

27 ~~(5)~~

28 (E) In cities over 150,000 up to and including 250,000 in
29 population, up to and including eight hundred dollars (\$800) per
30 month.

31 ~~(6)~~

32 (F) In cities over 250,000 population, up to and including one
33 thousand dollars (\$1,000) per month.

34 ~~For~~

35 (3) *For the purposes of this section subdivision, the population*
36 *of a city shall be determined by the last preceding federal census,*
37 *or a subsequent census, or estimate validated by the Department*
38 *of Finance.*

39 (4) *The salary of council members may be increased beyond*
40 *the amount provided in this subdivision by an ordinance or by an*

1 *amendment to an ordinance, but the amount of the increase shall*
2 *not exceed an amount equal to 5 percent for each calendar year*
3 *from the operative date of the last adjustment of the salary in effect*
4 *when the ordinance or amendment is enacted. No ordinance shall*
5 *be enacted or amended to provide automatic future increases in*
6 *salary.*

7 (b) ~~At~~ *Notwithstanding subdivision (a), at any municipal*
8 *election, the question of whether city council members shall receive*
9 ~~compensation~~ *a salary for services, and the amount of*
10 ~~compensation~~ *that salary, may be submitted to the electors. If a*
11 *majority of the electors voting at the election favor it, all of the*
12 *council members shall receive the compensation salary specified*
13 *in the election call. Compensation* *The salary of council members*
14 *may be increased beyond the amount provided in this section or*
15 *decreased below the amount in the same manner.*

16 (e) ~~Compensation of council members may be increased beyond~~
17 ~~the amount provided in this section by an ordinance or by an~~
18 ~~amendment to an ordinance but the amount of the increase may~~
19 ~~not exceed an amount equal to 5 percent for each calendar year~~
20 ~~from the operative date of the last adjustment of the salary in effect~~
21 ~~when the ordinance or amendment is enacted. No salary ordinance~~
22 ~~shall be enacted or amended which provides for automatic future~~
23 ~~increases in salary.~~

24 (d)
25 (c) Unless specifically authorized by another statute, a city
26 council may not enact an ordinance providing for ~~compensation~~
27 *a salary* to city council members in excess of that authorized by
28 the procedures described in subdivisions (a) to (e), ~~inclusive and~~
29 (b). For the purposes of this section, ~~compensation~~ *a salary*
30 includes payment *or compensation* for service by a city council
31 member on a commission, committee, board, authority, or similar
32 body on which the city council member serves. If the other statute
33 that authorizes the ~~compensation~~ *salary* does not specify the
34 amount of ~~compensation~~ *salary*, the maximum amount shall be
35 one hundred fifty dollars (\$150) per month for each commission,
36 committee, board, authority, or similar body.

37 (e)
38 (d) Any amounts paid by a city for retirement, health and
39 welfare, and federal social security benefits shall not be included
40 for purposes of determining salary under this section, provided

1 *that* the same benefits are available and paid by the city for its
2 employees.

3 ~~(f)~~

4 (e) Any amounts paid by a city to reimburse a council member
5 for actual and necessary expenses pursuant to Section 36514.5
6 shall not be included for purposes of determining salary pursuant
7 to this section.

8 (f) *A city council member may waive any or all of the*
9 *compensation permitted by this section.*

10 SEC. 69. Chapter 6 (commencing with Section 60000) of
11 Division 1 of Title 5 of the Government Code is repealed.

12 SEC. 70. Section 61002 of the Government Code is amended
13 to read:

14 61002. Unless the context requires otherwise, as used in this
15 division, the following terms shall have the following meanings:

16 (a) “At large” means the election of members of the board of
17 directors all of whom are elected by the voters of the entire district.

18 (b) “Board of directors” means the board of directors of a district
19 that establishes policies for the operation of the district.

20 (c) “By divisions” means the election of members of the board
21 of directors who are residents of the division from which they are
22 elected only by voters of the division.

23 (d) “District” means a community services district created
24 pursuant to this division or any of its statutory predecessors.

25 (e) “From divisions” means the election of members of the board
26 of directors who are residents of the division from which they are
27 elected by the voters of the entire district.

28 (f) “General manager” means the highest level management
29 appointee who is directly responsible to the board of directors for
30 the implementation of the policies established by the board of
31 directors.

32 (g) “Graffiti abatement” means the power to prevent graffiti on
33 public or private property, receive reports of graffiti on public or
34 private property, provide rewards not to exceed one thousand
35 dollars (\$1,000) for information leading to the arrest and conviction
36 of persons who apply graffiti on public or private property, abate
37 graffiti as a public nuisance pursuant to Section 731 of the Code
38 of Civil Procedure, remove graffiti from public or private property,
39 and use the services of persons ordered by a court to remove
40 graffiti.

1 (h) “Latent power” means those services and facilities authorized
2 by Part 3 (commencing with Section 61100) that the local agency
3 formation commission has determined, pursuant to subdivision
4 ~~(h)~~ (i) of Section 56425, that a district did not provide prior to
5 January 1, 2006.

6 (i) “President” or “chair” means the presiding officer of the
7 board of directors.

8 (j) “Principal county” means the county having all or the greatest
9 portion of the entire assessed valuation, as shown on the last
10 equalized assessment roll of the county or counties, of all taxable
11 property in the district.

12 (k) “Secretary” means the secretary of the board of directors.

13 (l) “Voter” means a voter as defined by Section 359 of the
14 Elections Code.

15 (m) “Zone” means a zone formed pursuant to Chapter 5
16 (commencing with Section 61140) of Part 3.

17 SEC. 71. Section 66412 of the Government Code is amended
18 to read:

19 66412. This division shall be inapplicable to any of the
20 following:

21 (a) The financing or leasing of apartments, offices, stores, or
22 similar space within apartment buildings, industrial buildings,
23 commercial buildings, mobilehome parks, or trailer parks.

24 (b) Mineral, oil, or gas leases.

25 (c) Land dedicated for cemetery purposes under the Health and
26 Safety Code.

27 (d) A lot line adjustment between four or fewer existing
28 adjoining parcels, where the land taken from one parcel is added
29 to an adjoining parcel, and where a greater number of parcels than
30 originally existed is not thereby created, if the lot line adjustment
31 is approved by the local agency, or advisory agency. A local agency
32 or advisory agency shall limit its review and approval to a
33 determination of whether or not the parcels resulting from the lot
34 line adjustment will conform to the local general plan, any
35 applicable specific plan, any applicable coastal plan, and zoning
36 and building ordinances. An advisory agency or local agency shall
37 not impose conditions or exactions on its approval of a lot line
38 adjustment except to conform to the local general plan, any
39 applicable specific plan, any applicable coastal plan, and zoning
40 and building ordinances, to require the prepayment of real property

1 taxes prior to the approval of the lot line adjustment, or to facilitate
2 the relocation of existing utilities, infrastructure, or easements. No
3 tentative map, parcel map, or final map shall be required as a
4 condition to the approval of a lot line adjustment. The lot line
5 adjustment shall be reflected in a deed, which shall be recorded.
6 No record of survey shall be required for a lot line adjustment
7 unless required by Section 8762 of the Business and Professions
8 Code. *A local agency shall approve or disapprove a lot line*
9 *adjustment pursuant to the Permit Streamlining Act (Chapter 4.5*
10 *(commencing with Section 65920) of Division 1).*

11 (e) Boundary line or exchange agreements to which the State
12 Lands Commission or a local agency holding a trust grant of tide
13 and submerged lands is a party.

14 (f) Any separate assessment under Section 2188.7 of the
15 Revenue and Taxation Code.

16 (g) Unless a parcel or final map was approved by the legislative
17 body of a local agency, the conversion of a community apartment
18 project, as defined in Section 1351 of the Civil Code, to a
19 condominium, as defined in Section 783 of the Civil Code, but
20 only if all of the following requirements are met:

21 (1) At least 75 percent of the units in the project were occupied
22 by record owners of the project on March 31, 1982.

23 (2) A final or parcel map of the project was properly recorded,
24 if the property was subdivided, as defined in Section 66424, after
25 January 1, 1964, with all of the conditions of that map remaining
26 in effect after the conversion.

27 (3) The local agency certifies that the above requirements were
28 satisfied if the local agency, by ordinance, provides for that
29 certification.

30 (4) Subject to compliance with subdivision (e) of Section 1351
31 of the Civil Code, all conveyances and other documents necessary
32 to effectuate the conversion shall be executed by the required
33 number of owners in the project as specified in the bylaws or other
34 organizational documents. If the bylaws or other organizational
35 documents do not expressly specify the number of owners
36 necessary to execute the conveyances and other documents, a
37 majority of owners in the project shall be required to execute the
38 conveyances or other documents. Conveyances and other
39 documents executed under the foregoing provisions shall be
40 binding upon and affect the interests of all parties in the project.

1 (h) Unless a parcel or final map was approved by the legislative
2 body of a local agency, the conversion of a stock cooperative, as
3 defined in Section 1351 of the Civil Code, to a condominium, as
4 defined in Section 783 of the Civil Code, but only if all of the
5 following requirements are met:

6 (1) At least 51 percent of the units in the cooperative were
7 occupied by stockholders of the cooperative on January 1, 1981,
8 or individually owned by stockholders of the cooperative on
9 January 1, 1981. As used in this paragraph, a cooperative unit is
10 “individually owned” if and only if the stockholder of that unit
11 owns or partially owns an interest in no more than one unit in the
12 cooperative.

13 (2) No more than 25 percent of the shares of the cooperative
14 were owned by any one person, as defined in Section 17, including
15 an incorporator or director of the cooperative, on January 1, 1981.

16 (3) A person renting a unit in a cooperative shall be entitled at
17 the time of conversion to all tenant rights in state or local law,
18 including, but not limited to, rights respecting first refusal, notice,
19 and displacement and relocation benefits.

20 (4) The local agency certifies that the above requirements were
21 satisfied if the local agency, by ordinance, provides for that
22 certification.

23 (5) Subject to compliance with subdivision (e) of Section 1351
24 of the Civil Code, all conveyances and other documents necessary
25 to effectuate the conversion shall be executed by the required
26 number of owners in the cooperative as specified in the bylaws or
27 other organizational documents. If the bylaws or other
28 organizational documents do not expressly specify the number of
29 owners necessary to execute the conveyances and other documents,
30 a majority of owners in the cooperative shall be required to execute
31 the conveyances or other documents. Conveyances and other
32 documents executed under the foregoing provisions shall be
33 binding upon and affect the interests of all parties in the
34 cooperative.

35 (i) The leasing of, or the granting of an easement to, a parcel of
36 land, or any portion or portions thereof, in conjunction with the
37 financing, erection, and sale or lease of a windpowered electrical
38 generation device on the land, if the project is subject to
39 discretionary action by the advisory agency or legislative body.

(j) The leasing or licensing of a portion of a parcel, or the granting of an easement, use permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities, including, but not limited to, antennae support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources, and other equipment incidental to the transmission of cellular communications, if the project is subject to discretionary action by the advisory agency or legislative body.

(k) Leases of agricultural land for agricultural purposes. As used in this subdivision, “agricultural purposes” means the cultivation of food or fiber, or the grazing or pasturing of livestock.

(l) The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a solar electrical generation device on the land, if the project is subject to review under other local agency ordinances regulating design and improvement or, if the project is subject to other discretionary action by the advisory agency or legislative body.

SEC. 72. Section 66434 of the Government Code is amended to read:

66434. The final map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor, shall be based upon a survey, and shall conform to all of the following provisions:

(a) It shall be legibly drawn, printed, or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film. Certificates, affidavits, and acknowledgments may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

(b) The size of each sheet shall be 18 by 26 inches or 460 by 660 millimeters. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch or 025 millimeters. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets, and its relation to each adjoining sheet shall be clearly shown.

1 (c) All survey and mathematical information and data necessary
2 to locate all monuments and to locate and retrace any and all
3 interior and exterior boundary lines appearing on the map shall be
4 shown, including bearings and distances of straight lines, and radii
5 and arc length or chord bearings and length for all curves, and any
6 information ~~which~~ *that* may be necessary to determine the location
7 of the centers of curves and ties to existing monuments used to
8 establish the subdivision boundaries.

9 (d) Each parcel shall be numbered or lettered and each block
10 may be numbered or lettered. Each street shall be named or
11 otherwise designated. The subdivision number shall be shown
12 together with the description of the real property being subdivided.

13 (e) (1) The exterior boundary of the land included within the
14 subdivision shall be indicated by distinctive symbols and clearly
15 so designated. *The exterior boundary of the land included within*
16 *the subdivision shall not include a designated remainder or omitted*
17 *parcel that is designated or omitted under Section 66424.6. The*
18 *designated remainder or omitted parcel shall be labeled as a*
19 *designated remainder parcel or omitted parcel.* The map shall
20 show the definite location of the subdivision, and particularly its
21 relation to surrounding surveys.

22 If
23 (2) *If* the map includes a “designated remainder” parcel, and
24 the gross area of the “designated remainder” parcel or similar
25 parcel is five acres or more, that remainder parcel need not be
26 shown on the map and its location need not be indicated as a matter
27 of survey, but only by deed reference to the existing boundaries
28 of the remainder parcel.

29 A
30 (3) A parcel designated as “not a part” shall be deemed to be a
31 “designated remainder” for purposes of this section.

32 (f) On and after January 1, 1987, no additional requirements
33 shall be included that do not affect record title interests. However,
34 the map shall contain a notation or reference to additional
35 information required by a local ordinance adopted pursuant to
36 Section 66434.2.

37 (g) Any public streets or public easements to be left in effect
38 after the subdivision shall be adequately delineated on the map.
39 The filing of the final map shall constitute abandonment of all
40 public streets and public easements not shown on the map, provided

1 that a written notation of each abandonment is listed by reference
2 to the recording data or other official record creating these public
3 streets or public easements and certified to on the map by the clerk
4 of the legislative body or the designee of the legislative body
5 approving the map. Before a public easement vested in another
6 public entity may be abandoned pursuant to this section, that public
7 entity shall receive notice of the proposed abandonment. No public
8 easement vested in another public entity shall be abandoned
9 pursuant to this section if that public entity objects to the proposed
10 abandonment.

11 SEC. 73. Section 66439 of the Government Code is amended
12 to read:

13 66439. (a) Dedications of, or offers to dedicate interests in,
14 real property for specified public purposes shall be made by a
15 statement on the final map, signed and acknowledged by those
16 parties having any record title interest in the real property being
17 subdivided, subject to the provisions of Section 66436.

18 (b) In the event any street shown on a final map is not offered
19 for dedication, the statement may contain a declaration to this
20 effect. If the statement appears on the final map and if the map is
21 approved by the legislative body, the use of the street or streets by
22 the public shall be permissive only.

23 (c) An offer of dedication of real property for street or public
24 utility easement purposes shall be deemed not to include any public
25 utility facilities located on or under the real property unless, and
26 only to the extent that, an intent to dedicate the facilities is
27 expressly declared in the statement.

28 (d) (1) *If a subdivider is required under this division or any*
29 *other provision of law to make a dedication for specified public*
30 *purposes on a final map, the local agency shall specify whether*
31 *the dedication is to be in fee for public purposes or an easement*
32 *for public purposes.*

33 (2) *If the dedication is required to be in fee for public purposes,*
34 *the subdivider shall include the following language in the*
35 *dedication clause on the final map or any separate instrument:*
36 *“The real property described below is dedicated in fee for public*
37 *purposes: (here insert a description of the dedicated property that*
38 *is adequate to convey the property).”*

39 (3) *If the dedication is required to be an easement for public*
40 *purposes, the subdivider shall include the following language in*

1 *the dedication clause on the final map or any separate instrument:*
2 *“The real property described below is dedicated as an easement*
3 *for public purposes: (here insert a description of the easement that*
4 *is adequate to convey the dedicated property).”*

5 SEC. 74. Section 66445 of the Government Code is amended
6 to read:

7 66445. The parcel map shall be prepared by, or under the
8 direction of, a registered civil engineer or licensed land surveyor,
9 shall show the location of streets and property lines bounding the
10 property, and shall conform to all of the following provisions:

11 (a) It shall be legibly drawn, printed, or reproduced by a process
12 guaranteeing a permanent record in black on tracing cloth or
13 polyester base film. Certificates or statements, affidavits, and
14 acknowledgments may be legibly stamped or printed upon the map
15 with opaque ink. If ink is used on polyester base film, the ink
16 surface shall be coated with a suitable substance to assure
17 permanent legibility.

18 (b) The size of each sheet shall be 18 by 26 inches or 460 by
19 660 millimeters. A marginal line shall be drawn completely around
20 each sheet, leaving an entirely blank margin of one inch or 025
21 millimeters. The scale of the map shall be large enough to show
22 all details clearly and enough sheets shall be used to accomplish
23 this end. The particular number of the sheet and the total number
24 of sheets comprising the map shall be stated on each of the sheets,
25 and its relation to each adjoining sheet shall be clearly shown.

26 (c) Each parcel shall be numbered or lettered and each block
27 may be numbered or lettered. Each street shall be named or
28 otherwise designated. The subdivision number shall be shown
29 together with the description of the real property being subdivided.

30 (d) (1) The exterior boundary of the land included within the
31 subdivision shall be indicated by distinctive symbols and clearly
32 so designated. *The exterior boundary of the land included within*
33 *the subdivision shall not include a designated remainder or omitted*
34 *parcel that is designated or omitted under Section 66424.6. The*
35 *designated remainder parcel or omitted parcel shall be labeled*
36 *as a designated remainder parcel or an omitted parcel.*

37 (2) The map shall show the location of each parcel and its
38 relation to surrounding surveys. If the map includes a “designated
39 remainder” parcel or similar parcel, and the gross area of the
40 “designated remainder” parcel or similar parcel is five acres or

1 more, that remainder parcel need not be shown on the map and its
2 location need not be indicated as a matter of survey, but only by
3 deed reference to the existing boundaries of the remainder parcel.

4 (3) A parcel designated as “not a part” shall be deemed to be a
5 “designated remainder” for purposes of this section.

6 (e) Subject to the provisions of Section 66436, a statement,
7 signed and acknowledged by all parties having any record title
8 interest in the real property subdivided, consenting to the
9 preparation and recordation of the parcel map is required, except
10 that less inclusive requirements may be provided by local
11 ordinance.

12 With respect to a division of land into four or fewer parcels,
13 where dedications or offers of dedications are not required, the
14 statement shall be signed and acknowledged by the subdivider
15 only. If the subdivider does not have a record title ownership
16 interest in the property to be divided, the local agency may require
17 that the subdivider provide the local agency with satisfactory
18 evidence that the persons with record title ownership have
19 consented to the proposed division. For purposes of this paragraph,
20 “record title ownership” means fee title of record unless a leasehold
21 interest is to be divided, in which case “record title ownership”
22 means ownership of record of the leasehold interest. Record title
23 ownership does not include ownership of mineral rights or other
24 subsurface interests that have been severed from ownership of the
25 surface.

26 (f) Notwithstanding any other provision of this article, local
27 agencies may require that those statements and acknowledgments
28 required pursuant to subdivision (e) be made by separate instrument
29 to be recorded concurrently with the parcel map being filed for
30 record.

31 (g) On and after January 1, 1987, no additional survey and map
32 requirements shall be included on a parcel map that do not affect
33 record title interests. However, the map shall contain a notation
34 of reference to survey and map information required by a local
35 ordinance adopted pursuant to Section 66434.2.

36 (h) Whenever a certificate or acknowledgment is made by
37 separate instrument, there shall appear on the parcel map a
38 reference to the separately recorded document. This reference shall
39 be completed by the county recorder pursuant to Section 66468.1.

1 (i) If a field survey was performed, the parcel map shall contain
2 a statement by the engineer or surveyor responsible for the
3 preparation of the map that states that all monuments are of the
4 character and occupy the positions indicated, or that they will be
5 set in those positions on or before a specified date, and that the
6 monuments are, or will be, sufficient to enable the survey to be
7 retraced.

8 (j) Any public streets or public easements to be left in effect
9 after the subdivision shall be adequately delineated on the map.
10 The filing of the parcel map shall constitute abandonment of all
11 public streets and public easements not shown on the map, provided
12 that a written notation of each abandonment is listed by reference
13 to the recording data or other official record creating these public
14 streets or public easements and certified to on the map by the clerk
15 of the legislative body or the designee of the legislative body
16 approving the map. Before a public easement vested in another
17 public entity may be abandoned pursuant to this section, that public
18 entity shall receive notice of the proposed abandonment. No public
19 easement vested in another public entity shall be abandoned
20 pursuant to this section if that public entity objects to the proposed
21 abandonment.

22 SEC. 75. Section 66447 of the Government Code is amended
23 to read:

24 66447. (a) If dedications or offers of dedication are required,
25 they may be made either by a statement on the parcel map or by
26 separate instrument, as provided by local ordinance. If dedications
27 or offers of dedication are made by separate instrument, the
28 dedications or offers of dedication shall be recorded concurrently
29 with, or prior to, the parcel map being filed for record.

30 ~~The~~

31 (b) *The* dedication or offers of dedication, whether by statement
32 or separate instrument, shall be signed by the same parties and in
33 the same manner as set forth in Section 66439 for dedications by
34 a final map.

35 (c) *(1) If a subdivider is required under this division or any*
36 *other provision of law to make a dedication for specified public*
37 *purposes on a parcel map, the local agency shall specify whether*
38 *the dedication is to be in fee for public purposes or an easement*
39 *for public purposes.*

(2) If the dedication is required to be in fee for public purposes, the subdivider shall include the following language in the dedication clause on the parcel map or any separate instrument: “The real property described below is dedicated in fee for public purposes: (here insert a description of the dedicated property that is adequate to convey the property).”

(3) If the dedication is required to be an easement for public purposes, the subdivider shall include the following language in the dedication clause on the parcel map or any separate instrument: “The real property described below is dedicated as an easement for public purposes: (here insert a description of the easement that is adequate to convey the dedicated property).”

SEC. 76. Section 101350 of the Health and Safety Code is amended to read:

101350. Any board of supervisors may levy a special sanitary tax, ~~not to exceed one-half mill on the one dollar of assessed valuation,~~ on all the property in the county, outside of any city.

~~The tax shall be in addition to all other taxes, and the fund created shall be used~~ city pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, and spend the proceeds to prevent the introduction of, and to eradicate, dangerous, infectious, or communicable diseases, and for general sanitation purposes.

SEC. 77. Section 1121 of the Military and Veterans Code is amended to read:

1121. For the purposes of this chapter the board of supervisors of any county may:

(a) Purchase, receive by donation, condemn, lease, or otherwise acquire real and personal property necessary for such home, and improve, preserve, manage, and control the same.

(b) Purchase, construct, lease, furnish, and repair buildings for such home and provide the necessary custodians, employees, attendants, and supplies for its proper maintenance.

(c) Levy ~~in any year a special tax not to exceed one and one-half mills on the one dollar of assessed valuation on all the taxable property in the county, in addition to all other taxes, the fund so created to be expended~~ pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, and spend the proceeds for the purposes of this chapter.

1 (d) Establish a fund for the purposes of this chapter, and transfer
2 from the general fund to such fund such moneys as the board deems
3 necessary.

4 (e) Incur, in the manner provided by law, a bonded indebtedness
5 on behalf of the county for any of the purposes of this chapter.

6 (f) Join with any incorporated city in the county in the
7 accomplishment of the purposes of this chapter and to that end
8 hold jointly with such city all property acquired, and expend money
9 in conjunction with such city.

10 SEC. 78. Section 1262 of the Military and Veterans Code is
11 amended to read:

12 1262. Any county may provide, maintain or provide and
13 maintain buildings, memorial halls, meeting places, memorial
14 parks, or recreation centers for the use or benefit of one or more
15 veterans' associations. For these purposes the board of supervisors
16 of any county may:

17 (a) Purchase, receive by donation, condemn, lease, or acquire
18 real or personal property necessary for such buildings, memorial
19 parks, or recreation centers, and improve, preserve, manage, and
20 control the same.

21 (b) Purchase, construct, lease, furnish, or repair such buildings,
22 and provide custodians, employees, attendants, and supplies for
23 the proper maintenance thereof.

24 (c) Clear, grade, plant, irrigate, fence, and improve such
25 memorial parks, or recreation centers, and provide custodians,
26 employees, attendants, and supplies for the proper maintenance
27 thereof.

28 (d) Furnish sites for such buildings to be built by or for such
29 organizations, and furnish sites for the erection thereon of such
30 buildings, the funds for which are supplied by county authorities
31 or from other sources. Any part or portion of any public lot, block,
32 or park may be used for such purpose.

33 ~~(e) In addition to all other taxes, levy in any year a special tax~~
34 ~~not to exceed two and one-half mills (\$0.0025) on each dollar of~~
35 ~~assessed valuation on all the taxable property in the county, if all~~
36 ~~the taxable property in the county has an aggregate value of less~~
37 ~~than fifty million dollars (\$50,000,000), or not to exceed one and~~
38 ~~one-half mills (\$0.0015) on each dollar of assessed valuation on~~
39 ~~all the taxable property in the county if all the taxable property in~~
40 ~~the county has an aggregate value equal to or more than fifty~~

1 million dollars (\$50,000,000), and the fund so created to be
2 expended for the purposes hereof.

3 (e) Levy a special tax pursuant to Article 3.5 (commencing with
4 Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of
5 the Government Code, and spend the proceeds for the purposes
6 of this chapter.

7 (f) Establish a fund for the purposes hereof, and transfer from
8 the General Fund to such fund such moneys as the board deems
9 necessary.

10 (g) Incur, in the manner provided by law, a bonded indebtedness
11 on behalf of the county for any of the purposes hereof.

12 (h) Join with any incorporated city in the county in the
13 accomplishment of the above purposes and to that end hold jointly
14 with such city all property acquired, and expended money in
15 conjunction with such city in accomplishing the above purposes.
16 Title to any property jointly so acquired by a county and a city
17 may at any time be conveyed by either of the joint owners to the
18 other without consideration other than to carry out the purposes
19 of this section.

20 (i) Join with memorial districts in the purchase, acquisition or
21 construction of memorial halls, assembly halls, buildings or
22 meeting places, or in the accomplishment of any other purpose for
23 which a memorial district has been organized, using the funds
24 authorized to be raised by this section. Title to any property so
25 purchased, acquired or constructed may be taken in the name of
26 the memorial district, or jointly with the county, or the county may
27 convey any property so acquired, purchased or constructed to the
28 memorial district without consideration to the county. The board
29 of supervisors may transfer to a memorial district funds raised
30 pursuant to this section to be expended by the district in furtherance
31 of the purposes of the district under terms and conditions consistent
32 with the purposes for which the funds were raised.

33 SEC. 79. Section 20142 of the Public Contract Code is amended
34 to read:

35 20142. (a) The board of supervisors may, by ordinance,
36 resolution, or board order, authorize the county engineer, or other
37 county officer, to order changes or additions in the work being
38 performed under construction contracts. When so authorized, any
39 change or addition in the work shall be ordered in writing by the
40 county engineer, or other designated officer, and the extra cost to

1 the county for any change or addition to the work so ordered shall
2 not exceed five thousand dollars (\$5,000) when the total amount
3 of the original contract does not exceed fifty thousand dollars
4 (\$50,000), nor 10 percent of the amount of any original contract
5 that exceeds fifty thousand dollars (\$50,000), but does not exceed
6 two hundred fifty thousand dollars (\$250,000) officer. *The extra*
7 *cost for any change or addition to the work so ordered shall not*
8 *exceed:*

9 ~~(b) For contracts whose original cost exceeds two hundred fifty~~
10 ~~thousand dollars (\$250,000), the extra cost for any change or~~
11 ~~addition to the work so ordered shall not exceed twenty-five~~
12 ~~thousand dollars (\$25,000), plus 5 percent of the amount of the~~
13 ~~original contract cost in excess of two hundred fifty thousand~~
14 ~~dollars (\$250,000). In no event shall any such change or alteration~~
15 ~~exceed one hundred fifty thousand dollars (\$150,000).~~

16 *(1) Five thousand dollars (\$5,000) when the total amount of the*
17 *original contract does not exceed fifty thousand dollars (\$50,000).*

18 *(2) Ten percent of the amount of any original contract that*
19 *exceeds fifty thousand dollars (\$50,000), but does not exceed two*
20 *hundred fifty thousand dollars (\$250,000).*

21 *(3) Twenty-five thousand dollars (\$25,000), plus 5 percent of*
22 *the amount of the original contract cost in excess of two hundred*
23 *fifty thousand dollars (\$250,000) for contracts whose original cost*
24 *exceeds two hundred fifty thousand dollars (\$250,000).*

25 *(b) In no event shall any change or alteration exceed two*
26 *hundred ten thousand dollars (\$210,000), except that the board*
27 *of supervisors may adjust this limit to reflect changes in the*
28 *applicable regional consumer price index published by the Bureau*
29 *of Labor Statistics of the United States Department of Labor.*

30 SEC. 80. Section 20614 is added to the Public Contract Code,
31 to read:

32 20614. (a) The board of supervisors may, by ordinance,
33 resolution, or board order, authorize the general manager, or other
34 county officer, to order changes or additions in the work being
35 performed under construction contracts. When so authorized, any
36 change or addition in the work shall be ordered in writing by the
37 general manager, or other designated officer. The extra cost for
38 any change or addition to the work so ordered shall not exceed:

39 *(1) Five thousand dollars (\$5,000) when the total amount of the*
40 *original contract does not exceed fifty thousand dollars (\$50,000).*

(2) Ten percent of the amount of any original contract that exceeds fifty thousand dollars (\$50,000), but does not exceed two hundred fifty thousand dollars (\$250,000).

(3) Twenty-five thousand dollars (\$25,000), plus 5 percent of the amount of the original contract cost in excess of two hundred fifty thousand dollars (\$250,000) for contracts whose original cost exceeds two hundred fifty thousand dollars (\$250,000).

(b) In no event shall any change or alteration exceed two hundred ten thousand dollars (\$210,000), except that the board of supervisors may adjust this limit to reflect changes in the applicable regional consumer price index published by the Bureau of Labor Statistics of the United States Department of Labor.

SEC. 81. Section 20998 is added to the Public Contract Code, to read:

20998. (a) The board of supervisors may, by ordinance, resolution, or board order, authorize the general manager, or other county officer, to order changes or additions in the work being performed under construction contracts. When so authorized, any change or addition in the work shall be ordered in writing by the general manager, or other designated officer. The extra cost for any change or addition to the work so ordered shall not exceed:

(1) Five thousand dollars (\$5,000) when the total amount of the original contract does not exceed fifty thousand dollars (\$50,000).

(2) Ten percent of the amount of any original contract that exceeds fifty thousand dollars (\$50,000), but does not exceed two hundred fifty thousand dollars (\$250,000).

(3) Twenty-five thousand dollars (\$25,000), plus 5 percent of the amount of the original contract cost in excess of two hundred fifty thousand dollars (\$250,000) for contracts whose original cost exceeds two hundred fifty thousand dollars (\$250,000).

(b) In no event shall any change or alteration exceed two hundred ten thousand dollars (\$210,000), except that the board of supervisors may adjust this limit to reflect changes in the applicable regional consumer price index published by the Bureau of Labor Statistics of the United States Department of Labor.

SEC. 82. Section 13041 of the Public Resources Code is amended to read:

13041. (a) *Any compensation provided pursuant to this section shall comply with Articles 2.3 (commencing with Section 53232)*

1 *and 2.4 (commencing with Section 53234) of Chapter 2 of Part 1*
2 *of Division 2 of Title 5 of the Government Code.*

3 ~~The~~

4 *(b) The* district board may authorize each director to receive
5 compensation not exceeding twenty-five dollars (\$25)—and
6 ~~reimbursement for travel expenses actually incurred by him not~~
7 ~~exceeding fifteen cents (\$0.15) per mile~~ for each meeting of the
8 board attended by ~~him~~ *the director* within the State of California,
9 not exceeding two meetings in any calendar month, *plus*
10 *reimbursement for actual and necessary expenses incurred in the*
11 *performance of these duties.*

12 ~~The~~

13 *(c) The* district board may authorize a director to receive for
14 performing duties for the district other than attending board
15 meetings:

16 ~~(a)~~

17 *(1)* Not to exceed twenty-five dollars (\$25) for each day, but
18 payment is limited to five days in any calendar month as to each
19 director other than the president.

20 ~~(b) Traveling and other expenses actually incurred by him in~~
21 ~~performing such duties.~~

22 *(2) Actual and necessary expenses incurred in the performance*
23 *of these duties.*

24 ~~The~~

25 *(d) The* secretary shall receive compensation set by the board,
26 which compensation shall be in lieu of any other compensation to
27 which ~~he~~ *the secretary* may be entitled for attendance at meetings
28 pursuant to this section.

29 SEC. 83. Section 1550 of the Streets and Highways Code is
30 amended to read:

31 ~~1550. Each year, at the meeting at which the board of~~
32 ~~supervisors levies the property tax for general county purposes,~~
33 ~~the board may estimate the amount of property tax for highway~~
34 ~~purposes in each road district, and may fix the amount of, and levy,~~
35 ~~the property tax in each such road district for highway purposes.~~
36 ~~The property tax for highway purposes shall not, in any one year,~~
37 ~~exceed the sum of forty cents upon each one hundred dollars of~~
38 ~~assessable property in the district.~~

39 ~~Nothing~~

1 1550. (a) A board of supervisors may form special road
2 maintenance districts and levy special taxes for road and highway
3 purposes to this chapter.

4 (b) Nothing contained in this section shall authorize any property
5 tax for highway purposes to be levied or collected by a county
6 within any city wherein work and improvements upon the streets
7 are done by virtue of any law relating to street work and
8 improvements within such a city.

9 SEC. 84. Section 1550.1 of the Streets and Highways Code is
10 amended to read:

11 1550.1. The board of supervisors may form special road
12 maintenance districts in ~~subdivided~~ *unincorporated* areas of the
13 county wholly outside of incorporated cities. Formation of ~~said~~
14 ~~these~~ districts may be ordered by the board of supervisors when
15 ~~in their~~ *its* opinion additional road funds are necessary to properly
16 maintain *highways and* roads in specific *unincorporated* areas of
17 the county. ~~Such~~ *These* districts shall be formed by order of the
18 board setting forth the boundaries thereof. ~~Such~~ A district shall be
19 in existence until the board shall by its order discontinue ~~such the~~
20 district. If ~~such~~ a district is to be formed, the board of supervisors
21 shall set a date for a hearing on ~~said the~~ formation. ~~Such~~ *This*
22 hearing shall not be held in less than three weeks after the date of
23 the order for the hearing, and prior to the date of the hearing, a
24 notice of ~~said the~~ hearing shall be published twice in a newspaper
25 of general circulation in the area, and, in addition, at least three
26 notices shall be posted in public places within the proposed district.
27 At the hearing, ~~protests may~~ *protests, if any, shall* be heard on the
28 proposed formation of ~~such the~~ district. It shall be within the power
29 of the board of supervisors to determine from the results of the
30 hearing the necessity for ~~said the~~ special road maintenance district,
31 and, if it be deemed necessary, the district may be formed ~~as~~
32 ~~hereinbefore provided.~~

33 SEC. 85. Section 1550.2 of the Streets and Highways Code is
34 repealed.

35 ~~1550.2. Each year at the meeting at which the board of~~
36 ~~supervisors levies the property tax for general county purposes,~~
37 ~~the board may estimate the amount of property tax for road~~
38 ~~maintenance necessary in special road maintenance districts as~~
39 ~~provided by Section 1550.1, and a property tax shall be levied in~~
40 ~~said special road maintenance district for the purposes of said~~

1 district. Said tax shall be in addition to all taxes for roads otherwise
2 provided, but in no case shall the sum of this special maintenance
3 tax and all other property taxes for roads exceed the sum of forty
4 cents (\$0.40) upon each hundred dollars (\$100) of assessable
5 property in the district as provided by Section 1550.

6 SEC. 86. Section 1550.2 is added to the Streets and Highways
7 Code, to read:

8 1550.2. The board of supervisors may levy a special tax
9 pursuant to Article 3.5 (commencing with Section 50075) of
10 Chapter 1 of Part 1 of Division 1 of Title 5 of the Government
11 Code, and spend the proceeds for the purposes of this chapter.

12 SEC. 87. Section 1551 of the Streets and Highways Code is
13 repealed.

14 ~~1551. When levied, the property tax for highway purposes shall~~
15 ~~be annually assessed and collected by the same officers and in the~~
16 ~~same manner as other county taxes are assessed and collected. All~~
17 ~~collections shall be paid into the county treasury.~~

18 SEC. 88. Section 1552 of the Streets and Highways Code is
19 amended to read:

20 1552. Except as otherwise provided in this code, all property
21 ~~tax revenues from special taxes levied for highway and road~~
22 purposes collected in each road district shall be expended for
23 highway purposes within the district in which collected.

24 The board of supervisors shall cause such tax collected each
25 year to be apportioned to the several road districts entitled thereto,
26 and to be kept by the county treasurer in separate funds.

27 SEC. 89. Section 1553 of the Streets and Highways Code is
28 repealed.

29 ~~1553. The boards of supervisors, in their respective counties,~~
30 ~~may levy a special road fund tax, not to exceed two mills on each~~
31 ~~dollar of assessed valuation, on all the property in such counties~~
32 ~~outside of any city. This tax is in addition to all taxes otherwise~~
33 ~~provided for, and the fund so created shall be expended for the~~
34 ~~construction and maintenance of the county highways in the several~~
35 ~~road districts, in proportion to the amount collected from such~~
36 ~~districts.~~

37 SEC. 90. Section 1554 of the Streets and Highways Code is
38 repealed.

39 ~~1554. In addition to all taxes otherwise provided for, the board~~
40 ~~of supervisors may levy, and upon the petition of a majority of the~~

~~property owners of any road district the board shall levy, an additional special road fund tax not to exceed two mills on each dollar of assessed valuation on all the property in such road district, to be expended in the maintenance of the county highways in such district.~~

SEC. 91. Section 5100 of the Streets and Highways Code is amended to read:

5100. All streets, places, public ways, or property, or rights-of-way, or tidelands, or submerged lands owned by any city, open or dedicated to public use, and any property for which an order for possession prior to judgment has been obtained, and all tidelands or submerged lands to which all the right, title and interest of the state have been granted to any city, *all tidelands or submerged lands for which a permit, license, or easement has been issued by the United States Army Corps of Engineers for work to be done pursuant to subdivision (m) of Section 5101*, and all tidelands or submerged lands which have been leased by the state to any city for the construction of improvements authorized by subdivision (g) of Section 5101, are open public streets, places, public ways, or property or rights-of-way owned by the city, for the purposes of this division, and the legislative body of the city may establish and change the grades of the respective ways, properties, and rights-of-way hereinbefore enumerated and fix the width thereof and is hereby invested with jurisdiction to order to be done therein, over or thereon, either singly or in any combination thereof, any of the work mentioned in this division under the proceedings described in this part.

SEC. 92. Section 40355 of the Water Code is amended to read:

40355. (a) A director, when sitting on the board or acting under its orders, shall receive not exceeding:

(1) One hundred dollars (\$100) per day, not exceeding six days in any calendar month.

~~(2) Ten cents (\$0.10) per mile for each mile traveled from his place of residence to the office of the board.~~

~~(3)~~

(2) Actual and necessary expenses while engaged in official business under the order of the board.

(b) For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232)

- 1 of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government
- 2 Code.
- 3 (c) Reimbursement for these expenses is subject to Sections
- 4 53232.2 and 53232.3 of the Government Code.

O